

ASSEMBLY BILL

No. 1947

Introduced by Assembly Member Fong

February 17, 2010

An act to add Section 2829.5 to the Public Utilities Code, relating to solar energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1947, as introduced, Fong. Solar energy: solar farms: credits.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Public Utilities Act imposes various duties and responsibilities on the commission with respect to the purchase of electricity by electrical corporations and requires the commission to review and adopt a procurement plan and a renewable energy procurement plan for each electrical corporation pursuant to the California Renewables Portfolio Standard Program. The program requires that a retail seller of electricity, including electrical corporations, purchase a specified minimum percentage of electricity generated by eligible renewable energy resources, including solar, in any given year as a specified percentage of total kilowatthours sold to retail end-use customers each calendar year (renewables portfolio standard).

This bill would direct the commission to require an electrical corporation to apply a bill credit of up to 100% to a customer's bill, calculated as prescribed, for electricity that is generated by solar panels leased by the customer at a solar farm, as defined, and fed back to the electric grid.

Under existing law, a violation of any order, decision, rule, direction, demand, or requirement of the commission is a crime.

Because this bill would require action by the commission to implement its requirements, the violation of which would be a crime, this bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2829.5 is added to the Public Utilities
2 Code, to read:
3 2829.5. (a) As used in this section:
4 (1) “Eligible customer-generator” means a residential customer
5 of an electrical corporation that meets both of the following
6 requirements:
7 (A) The customer leases solar panels at a solar farm, within the
8 service area of the electrical corporation, from which the electrical
9 corporation procures electricity.
10 (B) The electricity generated by the solar panels described in
11 paragraph (A) is measured by a time-of-use meter capable of
12 registering the flow of electricity in two directions.
13 (2) “Solar farm” means a photovoltaic facility that leases the
14 use of solar panels located at the facility.
15 (b) The commission shall require an electrical corporation to
16 calculate the value of the electricity that is generated by an eligible
17 customer-generator and fed back to the electric grid at the same
18 rates as the electricity supplied to the eligible customer-generator
19 over the same billing period, and apply a credit of equivalent value
20 to the eligible customer-generator’s bill of up to 100 percent of
21 the bill.
22 SEC. 2. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district will be incurred because this act creates a new crime or
26 infraction, eliminates a crime or infraction, or changes the penalty
27 for a crime or infraction, within the meaning of Section 17556 of

- 1 the Government Code, or changes the definition of a crime within
- 2 the meaning of Section 6 of Article XIII B of the California
- 3 Constitution.

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